HIGH COURT OF CHHATTISGARH: BILASPUR

Misc. Civil Case No. 322 of 2007

Applicant		Cement Corporation of India Ltd., through its General Manager, Akaltara Cement Factory, Dist. Janjgir Champa.

Versus

Non-applicants	1)	State Bank of India, through the Branch Manager, Akaltara Branch, District Janjgir Champa (Earlier C.C.I Colony Branch Akaltara).
	2)	The Madhya Pradesh Electricity Board through its Secretary Madhya Pradesh Electricity Board, Rampur Jabalpur (MP).

(Application for restoration of the Writ Petition No.935/1998)

SB: Hon'ble Mr. Satish K. Agnihotri, J.

Present: Shri Vivek Verma, counsel for the petitioner.

ORDER
(Passed on 7th September, 2007)

Learned counsel appearing for the petitioner submits that the petitioner/Company has engaged Shri Sharad Chandra Chaturvedi Advocate as its counsel, who died before creation of State of Chhattisgarh.

2) The petitioner is not an ordinary person, but it is a company, having all the assistance at its command. The petitioner very well knew that on creation of State of Chhattisgarh, this petition has been transferred to High Court of Chhattisgarh. Despite the fact, the petitioner has not taken any steps for more than seven years. When the matter came up for hearing on 30-7-2007, none appeared and the petition was dismissed for want of prosecution. The justification submitted by learned counsel appearing for the applicant does not deserve acceptance. However, since the Writ

Petition No. 935 of 1998 was dismissed for want of non-prosecution, the application is ordered as prayed for.

3) Writ Petition No. 935 of 1998 is restored to the original file, subject to payment of cost of Rs.10,000/- by the petitioner to the High Court Legal Aid Committee.

4) In view of the above, M.C.C.No.322 of 2007 stands disposed of.

5) A copy of this order be kept in W.P. 935 of 1998 and the same be listed for hearing.

Sd/-
Satish K. Agnihotri
Judge

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